

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO. 4:12-CV-276-FL

CHIQUITA R. BRYANT and
ANTHONY LEE MCNAIR,

Plaintiff,

v.

CITY OF WILMINGTON,

Defendant.

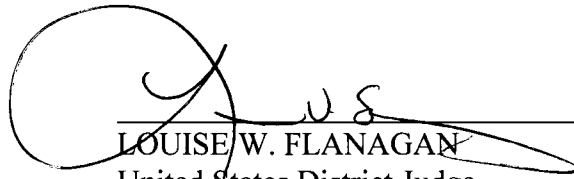
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ORDER

This matter is before the court on plaintiffs' motions for leave to proceed *in forma pauperis* (DE ## 1, 2), filed November 26, 2012, and the memorandum and recommendation ("M&R") of Magistrate Judge William A. Webb (DE # 6), filed on December 26, 2012, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), recommending that plaintiffs' proposed complaint be dismissed because the proposed complaint is frivolous. Plaintiff McNair filed objections to the M&R on January 2, 2013 (DE # 7).

Upon *de novo* review of the M&R, the complaint, and plaintiff's objections, the court ADOPTS the M&R as its own and OVERRULES the objections to the M&R, finding that the M&R sufficiently explains the basis for dismissal of this action. For the reasons stated in the M&R, the motions for leave to proceed *in forma pauperis* (DE ## 1, 2) are GRANTED but plaintiffs' complaint is DISMISSED. The clerk is directed to close this case.

SO ORDERED, this the 27th day of February, 2013.



LOUISE W. FLANAGAN
United States District Judge